

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

**PCT**

To:

Outokumpu OYJ Intellectual  
Property Management  
P.O. Box 27  
FIN-02201 Espoo  
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ALCO

## NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

Date of mailing (day/month/year)	28-05-2004
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Applicant's or agent's file reference <b>20020780 WO</b>	IMPORTANT NOTIFICATION
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International application No. <b>PCT/FI2003/000259</b>	International filing date (day/month/year) <b>07-04-2003</b>	Priority date (day/month/year) <b>23-04-2002</b>
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Applicant <b>Outokumpu Oyj et al</b>
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1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

#### 4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/ Patent- och registreringsverket: Box 5055 S-102 42 STOCKHOLM Facsimile No. 08-667 72 88	Telex 17973 PATOREG-S	Authorized officer  Christina Wall
		Telephone No. 08-782 25 00

Form PCT/IPEA/416 (July 1992)

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**PATENT COOPERATION TREATY**  
**PCT**  
**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**  
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference  20020780 WO	<b>FOR FURTHER ACTION</b> See Form PCT/IPEA/416	
International application No.  PCT/FI 2003/000259	International filing date ( <i>day/month/year</i> )  07.04.2003	Priority date ( <i>day/month/year</i> )  23.04.2002
International Patent Classification (IPC) or national classification and IPC  C22B 3/20 // C22B 11:00		
<p><b>Applicant</b>  Outokumpu Oyj et al</p>		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s))  , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> <p>4. This report contains indications relating to the following items:</p> <table> <tbody> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability, citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </tbody> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability, citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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<input type="checkbox"/>	Box No. VIII	Certain observations on the international application																						

Date of submission of the demand  23.10.2003	Date of completion of this report  25.05.2004
Name and mailing address of the IPEA/SE  Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. +46 8 667 72 88	Authorized officer  Mårten Hulthén/MP Telephone No. +46 8 782 25 00

Form PCT/IPEA/409 (cover sheet) (January 2004)

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## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP 2003/000259

## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of:

international search (under Rules 12.3 and 23.1(b))  
 publication of the international application (under Rule 12.4)  
 international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

the international application as originally filed/furnished

the description:

pages \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

the claims:

pages \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ as amended (together with any statement) under Article 19

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

the drawings:

pages \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3.  The amendments have resulted in the cancellation of:

the description, pages \_\_\_\_\_

the claims, Nos. \_\_\_\_\_

the drawings, sheets/figs \_\_\_\_\_

the sequence listing (specify): \_\_\_\_\_

any table(s) related to the sequence listing (specify): \_\_\_\_\_

4.  This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages \_\_\_\_\_

the claims, Nos. \_\_\_\_\_

the drawings, sheets/figs \_\_\_\_\_

the sequence listing (specify): \_\_\_\_\_

any table(s) related to the sequence listing (specify): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.  
PCT/EP 2003/000259

**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

## 1. Statement

Novelty (N)	Claims	1-11	YES
	Claims	_____	NO
Inventive step (IS)	Claims	1-11	YES
	Claims	_____	NO
Industrial applicability (IA)	Claims	1-11	YES
	Claims	_____	NO

## 2. Citations and explanations (Rule 70.7)

Documents cited as being of particular relevance:

D1 US 4551213  
D2 US 4668289

The invention relates to a method of recovery of gold from a residue from copper leaching which contains sulphur and iron. The gold in the residue is leached using bivalent copper and oxygen in a copper chloride - sodium chloride solution.

D1 (abstract) discloses a process for the recovery of gold from an aqueous suspension containing cupric chloride and sodium chloride. The method defined by claim 1 of the application differs from D1 in that pH of the suspension has a value of 1-3. The claim also states explicitly that gold is leached at atmospheric conditions. D1 does not clearly state the pressure conditions. The method also differs from D1 in that the oxygen-reduction potential is kept at a value below 650 mV. The stated differences have the effect of reducing the dissolution of iron and sulphur.

A person skilled in the art who has knowledge of D1 faces the problem of reducing the dissolution of iron and sulphur and in this way improve the economy of the process.

D2 discloses a process for leaching base metal from gold-containing scrap and to obtain a metallic residue enriched in gold. Gold is not leached. Consequently, it is not considered to be obvious to a person to use the teachings of D2 in order to solve his problem.

.../...

**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

International application No.

PCT [REDACTED] 2003/000259

**Supplemental Box****In case the space in any of the preceding boxes is not sufficient.**

Continuation of: Box V

The stated differences imply improvements in reducing the costs when recovering gold from a leaching residue or an intermediate product, which is generated in the atmospheric chloride leaching of copper sulphide raw material. Consequently, the method defined by claims 1-11 is considered to involve an inventive step and is also considered to fulfil the criteria of industrial applicability.